

1006 Rec'd PCT/PTO 29 SEP 2005

10/550435

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S)	: Douglas McBain et al.
TITLE	: COATING IN MULTIPLE INJECTION MOLDING PART CAVITIES
APPLICATION SER. NO.	: PCT/US2004/008193
FILED	: March 17, 2004
CONFIRMATION NO.	: n/a
EXAMINER	: n/a
ART UNIT	: n/a
ATTORNEY DOCKET NO.	: OMNZ 2 00039 PCT
	: Cleveland, OH 44114

**PETITION TO ESTABLISH PRIOR RECEIPT IN THE PATENT
AND TRADEMARK OFFICE OF ALL TWELVE PAGES OF SPECIFICATION AND TO
RETRANSMIT A COMPLETE COPY OF APPLICATION TO THE INTERNATIONAL
BUREAU OF WIPO FOR REPUBLICATION**

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The present application was filed as a PCT application with the U.S. Patent and Trademark Office (USPTO) as the receiving office on March 17, 2004. The PCT Request (Exhibit 1) and the return receipt postcard (Exhibit 2) submitted with the PCT application on March 17, 2004 indicated that the application's description/specification included twelve (12) pages. The stamped return receipt postcard received from the USPTO (Exhibit 3) indicated that all twelve (12) pages of the description/specification were received by the

USPTO. The PCT application was accorded international application No. PCT/US2004/008193.

The '193 PCT application was published as International Publication No. WO 2004/094127 (Exhibit 4) on November 4, 2004. Pages 6-8 of the description/specification of the '193 PCT application were unexplainably excluded and/or withheld from publication. Thus, the description/specification of the published PCT application included only nine (9) pages, not the twelve (12) pages of the description/specification received by the USPTO as indicated on the stamped return receipt postcard (Exhibit 3).

Applicant became aware that the published PCT application was missing the above-specified pages on or about September 27, 2005, when preparations were being made by various associates/representatives on behalf of Applicant for entering the PCT application as a national application in several regions/countries. This Petition is being filed promptly, within two days, of Applicant becoming aware that pages were missing in the published PCT application.

On or about September 28, 2005, the undersigned representative of Applicant contacted the PCT Help Desk concerning the missing pages from the published application. The undersigned representative was informed that the scanned copy of the PCT application (i.e., the copy in the PTO's database) did not include pages 6-8 of the specification. Applicant's representative was instructed to file the instant Petition and include copies of all evidence (Exhibits 1-5) showing that the error was the fault of the USPTO. Additionally, Applicant's representative was directed to contact one of several PCT legal administrators. Following these instructions, Applicant's representative contacted Leonard Smith, a PCT legal administrator identified by the PCT Help Desk, who advised that the instant Petition should be filed in connection with this PCT patent application, as well as in connection with the U.S. application entered as a national phase application from this PCT application. A similar petition is being filed in the corresponding U.S. application.

Applicant hereby petitions to establish prior receipt in the USPTO of all twelve (12) pages of the specification (see Exhibit 2). Applicant further petitions to have the USPTO retransmit a complete copy of the PCT application to the International Bureau of WIPO for republication. This is necessary so various foreign patent offices can get a complete copy of the PCT application.

A true copy (Exhibit 1) of the PCT Request showing the description as including twelve (12) pages is attached.

A true copy of the submitted return receipt postcard (Exhibit 2) showing that the specification included twelve (12) pages is attached.

A true copy of the date stamped return receipt postcard indicating that the specification contained twelve (12) pages and all twelve (12) pages were received by the USPTO is attached.

A true copy of the published PCT application, International Publication No. WO 2004/094127 (Exhibit 4), is attached.

A true copy (Exhibit 5) of the filed PCT application, which was indicated as being received by the USPTO on the stamped return receipt postcard (Exhibit 2), is attached hereto.

Because the error was solely due to U.S. Patent Office error, it is submitted that no fee is due. If, however, it should be determined that a fee should be assessed against the application for correcting this Patent Office error, authorization is hereby given to charge Deposit Account No. 06-0308. Additionally, please charge any additional fees which may be required by this paper and credit any overpayment to the specified deposit account number.

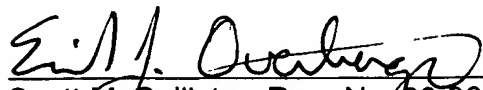
A duplicate copy of this paper is attached.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

September 29, 2005

Date



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CERTIFICATE OF MAILING

Under 37 C.F.R. § 1.8, I certify that this Petition is being

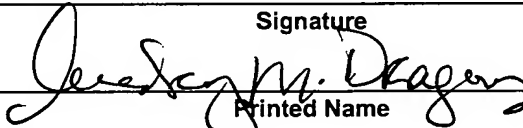
- ☐ deposited with the United States Postal Service as First Class mail, addressed to: MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile in accordance with 37 C.F.R. § 1.8 on the date indicated below.
- ☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP PCT, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date

September 29, 2005

Signature



Printed Name

Audrey M. Dragony

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